



U.S. MERIT SYSTEMS PROTECTION BOARD

Case Report for August 11, 2023

Note: These summaries are descriptions prepared by individual MSPB employees. They do not represent official summaries approved by the Board itself, and they are not intended to provide legal counsel or to be cited as legal authority. Instead, they are provided only to inform and help the public locate Board precedents.

NONPRECEDENTIAL COURT DECISIONS

***Shu v. U.S. Postal Service*, No. [2023-1341](#) (Fed. Cir. August 8, 2023) (SF-0353-11-0065-C-1, SF-0353-11-0065-X-1):**

The court affirmed the Board's decision dismissing Mr. Shu's petition for enforcement. The court agreed with the Board that the agency demonstrated that it had fully complied with an administrative judge's 2014 order in the underlying appeal, which found the agency had improperly delayed Mr. Shu's restoration following an absence caused by his compensable work-related injury. The 2014 order directed the agency, among other things, to pay Mr. Shu back pay from the date of his March 2009 restoration request to the date he was restored to duty in November 2010, and to provide him with service credit for the period from December 2003 when the agency removed him in connection with his on-the-job injury to November 2010 when it restored him.

[MSPB](#) | [Case Reports](#) | [Recent Decisions](#) | [Follow us on Twitter](#) | [MSPB Listserv](#)